

The Office Action asserts that Oka teaches a thermostat malfunction detecting system capable of detecting an open malfunction of a thermostat. The Office Action concedes that Oka does not disclose "the electric motor fan is blown with respect to the circulating path when the detected cooling water temperature is within a predetermined range." The Office Action relies on Naitoh to remedy this shortfall. However, the Office Action's paraphrasing of the relevant claim features is incorrect, and no permissible combination of the applied references can reasonably be considered to have suggested at least the features of claims 1 and 11, as discussed below.

Claim 1 recites, among other features, when said detected cooling water temperature is within a predetermined range and said abnormal state detecting is commenced on the basis of the detected cooling water temperature and the predicted cooling water temperature, an electric motor fan for blowing wind with respect to said circulating path is driven. Claim 11 recites similar features. The applied references do not teach, nor can they reasonably be considered to have suggested, such a combination of features.

For example, combining the alleged teachings of Naitoh, regarding activating the cooling fan when a cooling temperature becomes lower than a preset temperature, with the thermostat malfunction detecting system of Oka would not obviously result in the above-quoted features at least because the applied references do not suggest an electric motor fan for blowing wind with respect to any circulating path is driven when both a detected cooling water temperature is within a predetermined range and an abnormal state detecting is commenced on the basis of the detected cooling water temperature and the predicted cooling water temperature. In other words, merely combining a reference that teaches an alleged abnormal state detecting apparatus with a reference that teaches blowing of a cooling fan does not render obvious driving a cooling fan based on any specific determination of criteria such as when a cooling water temperature is within a predetermined range and abnormal state

detecting is commenced, as recited in the pending claims. Advantages of such features are discussed, for example, on pgs. 6-7 of Applicant's specification, as filed. The applied references do not contain a suggestion that can reasonably be considered as sufficient to have motivated one of ordinary skill in the art to combine the applied references in any manner that would have rendered obvious the specific combination of features discussed above.

The above arguments were discussed during the July 2 personal interview with the Examiner. The Examiner agreed that the applied references did not appear to reasonably suggest such a combination of features. Applicant appreciates the Examiner's consideration of these arguments.

For at least the above reasons, the applied references cannot reasonably be considered to have suggested the combinations of features positively recited in claims 1 and 11. Additionally, claims 5, 7, 9, 10, 15, 17, 19 and 20 also would not reasonably have been suggested by the applied references for at least the respective dependence of these claims, directly or indirectly, on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejection of claims 1, 5, 7, 9-11, 15, 17, 19 and 20 are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 5, 7, 9-11, 15, 17, 19 and 20, in addition to the previous of allowance of claims 2, 3, 12 and 13, and the indication of allowability regarding claims 4-6, 8, 14-16 and 18, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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